



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: PTQ-0058

Inventors: Van Eyk et al.

Serial No.: 10/824,027

Filing Date: April 14, 2004

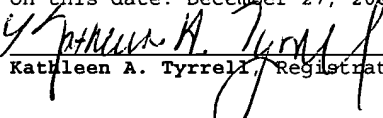
Examiner: Not Yet Assigned

Group Art Unit: 1653

Title: Methods and Compositions for Modulating
Proteins Modified in Preconditioning
Against Ischemia/Hypoxia

I, Kathleen A. Tyrrell, Registration No. 38,350,
certify that this correspondence is being deposited
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On this date: December 27, 2004


Kathleen A. Tyrrell, Registration No. 38,350

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified

application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

() In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

() Certification in Accordance with §1.97(e) is attached hereto; or

() Authorization to charge Deposit Account No. 50-1619 the fee of \$180.00 as set forth in §1.17(p) is provided.

() In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(I) (1) .

(XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

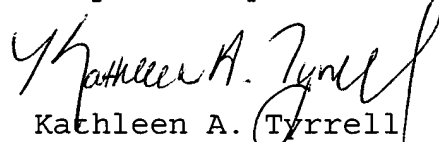
() In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

() The relevance of the listed references in a foreign language is as stated in the specification at pages @@.

(XX) All listed references are in the English language.

Respectfully submitted,

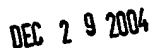


Kathleen A. Tyrrell
Registration No. 38,350

Date: December 27, 2004

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515



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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/824,027
Filing Date	April 14, 2004
First Named Inventor	VAN EYK, Jennifer E.
Art Unit	1653
Examiner Name	
Attorney Docket Number	PTQ-0058

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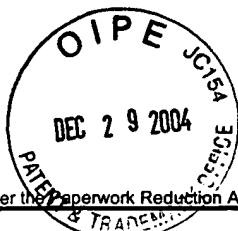
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (# known)				
	1	WO 03/004693 A2	Jan 16, 2003	Queen's University at Kingston		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Complete if Known

Application Number	10/824,027
Filing Date	April 14, 2004
First Named Inventor	VAN EYK, Jennifer E.
Art Unit	1653
Examiner Name	
Attorney Docket Number	PTQ-0058

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	ALA-RAMI, A., et al. "Ischaemic preconditioning and a mitochondrial KATP channel opener both produce cardioprotection accompanied by F1F0-ATPase inhibition in early ischaemia." Basic Res. Cardiol. 98: 250 - 258 (2003).	
	2	BOLLI, R. "The late phase of preconditioning." Circ. Res. 87: 972 - 983 (2000).	
	3	DANA, A., et al. "Adenosine A1 receptor induced delayed preconditioning in rabbits. Induction of p38 mitogen-activated protein kinase activation and Hsp27 phosphorylation via a tyrosine kinase- and protein kinase C-dependent mechanism." Circ. Res. 86: 989 - 997 (2000).	
	4	HANLEY, P.J., et al. "Halothane, isoflurane and sevoflurane inhibit NADH: ubiquinone oxidoreductase (complex I) of cardiac mitochondria." J. Physiol. 544.3: 687 - 693 (2002).	
	5	KLONER, R.A., et al. "Consequences of brief ischemia: stunning, preconditioning, and their clinical implications." Circulation 104: 2981 - 2989 (2001).	
	6	SCHAFER, G., et al. "Diazoxide, an inhibitor of succinate oxidation." Biochem. Pharma. 18: 2678 - 2681 (1969).	
	7	SCHAFER, G., et al. "Inhibition of mitochondrial metabolism by the diabetogenic thiazine diazoxide - I. Action on succinate dehydrogenase and TCA-cycle oxidations." Biochem. Pharma. 20: 1271 - 1280 (1971).	
	8	THORNTON, J., et al. "Inhibition of protein synthesis does not block myocardial protection afforded by preconditioning." Am. J. Physiol. 259: H1822 - H1825 (1990).	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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